

## **REMARKS/ARGUMENTS**

Initially, Applicant would like to thank the Examiner for indicating in the Final Official Action that he has considered the Information Disclosure Statement filed in the present application on March 20, 2008. However, Applicant's copy of the Information Disclosure Statement, officially showing that the Examiner has considered the materials listed thereon, was not attached to the "Office Action Summary" (Form PTOL-326), as indicated thereon. Thus, Applicant respectfully requests that a completed copy of the Information Disclosure Statement filed March 20, 2008, showing that the Examiner has officially considered the materials listed thereon be provided to Applicant in the next Official communication.

Applicant would also like to thank the Examiner for indicating that the drawings have been considered. Thus, absent any indication to the contrary, Applicant takes the Examiner's statement that the drawings have been considered as an indication that the drawings are acceptable.

Applicant notes that the Examiner has still not acknowledged Applicant's Claim for Priority and the receipt of the certified copy of the priority document. Applicant respectfully requests that the Examiner acknowledge Applicant's Claim for Priority and receipt of the certified copy of the priority document in the next Official communication.

In the Final Official Action, claims 2-11, 14-23, 26-35, and 37-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over INOUE et al. (U.S. Patent No. 7,188,137 B2) in view of ZUCKNOVICH et al. (U.S. Patent No. 5,940,843).

Upon entry of the amendment, claims 2, 14, 26-35, and 37-39 have been amended. Claims 1, 12-13, 24-25, and 36 were previously cancelled. Thus, claims 2-11, 14-23, 26-35 and 37-39 are currently pending for consideration by the Examiner. Applicant respectfully requests

reconsideration of the outstanding rejection, and an indication of the allowability of all of the claims pending in the application.

Pursuant to M.P.E.P. §714.13, Applicant submits that entry of the present amendment is appropriate because the proposed amended claims avoid the rejections set forth in the Final Official Action, resulting in the application being placed in condition for allowance, or alternatively, the revised claims place the application in better condition for purposes of appeal to the Board of Patent Appeals and Interferences. Furthermore, Applicant believes that the revised claims do not present any new issues that would require any further consideration or search by the Examiner, and that the amendment does not present any additional claims. Accordingly, entry of the present amendment is respectfully requested.

Claims 2-11, 14-23, 26-35, and 37-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over INOUE in view of ZUCKNOVICH. With regard to independent claim 37, the Final Official Action asserts that INOUE discloses a network system comprising a plurality of processing apparatuses, a plurality of client apparatuses, and a server apparatus. The Final Official Action acknowledges that INOUE fails to disclose the remaining operational features of claim 37. However, the Final Official Action asserts that ZUCKNOVICH discloses these features. Contrary to these assertions, Applicant traverses the rejection cited above, since Applicant believes that claims 2-11, 14-23, 26-35, and 37-39 would not have been obvious to one of ordinary skill in the art at the time of the invention, in view of the combination of INOUE and ZUCKNOVICH. Nevertheless, in order to expedite the prosecution of the present application to allowance, Applicant has amended each of independent claims 37-39 to recite additional patentable features that further patentably distinguish the claims from the applied prior art.

Applicant respectfully submits that amended independent claim 37 would not have been obvious to one of ordinary skill in the art in view of the combination of INOUE and ZUCKNOVICH for at least several reasons. For instance, amended claim 37 is explicitly directed to *a network system for determining billing fee usage information for document processing related jobs*. In distinct contrast, Applicant submits that INOUE is directed to a system for distributing advertisements to advertisement users, and ZUCKNOVICH is directed to the electronic distribution of research documents over a network. Thus, Applicants submit that neither INOUE nor ZUCKNOVICH, either singularly or in the combination set forth by the Examiner, are directed to a network system for determining billing fee usage information for processing related jobs, as specified in Applicant's claim 37.

The Final Official Action asserts that INOUE discloses each of the plurality of processing apparatuses as belonging to one of a plurality of groups, and that each of the client apparatuses belong to one of the plurality of groups. Contrary to this assertion, the cited sections of INOUE does not disclose the grouping of processing apparatuses and client apparatuses into distinct groups. Additionally, amended claim 37 explicitly defines the normal group as *a group where a processing apparatus that executes a document processing related job and a client apparatus that instructs the processing apparatus to execute the document processing related job are included in the same group*. Applicants submit that since INOUE fails to disclose the grouping of processing apparatuses and client apparatuses into distinct groups, that it is readily apparent that INOUE further fails to disclose the specific configuration of a normal group as explicitly recited in amended claim 37. Further, Applicants submit that ZUCKNOVICH fails to remedy this specific grouping deficiency of INOUE, since ZUCKNOVICH also fails to disclose the

grouping of processing apparatuses and client apparatus into distinct groups, and certainly fails to disclose the configuration of the explicitly defined normal group.

In view of the fact that neither INOUE nor ZUCKNOVICH disclose the configuration of a normal group as recited above, Applicant submits that neither INOUE, ZUCKNOVICH, nor the combination thereof disclose or render obvious the independent claim 37 features of *wherein, when performing a remote process where a certain document processing related job executed by using one of the plurality of processing apparatuses within a group different from a normal group to which a client apparatus belongs, the count processor of said server apparatus executes the count process by incorporating billing fee usage information of the document processing related job into the normal group* (emphasis added). Thus, Applicant further submits that since neither INOUE nor ZUCKNOVICH disclose the grouping of processing apparatuses and client apparatuses into distinct normal groups, that neither INOUE nor ZUCKNOVICH disclose the specific billing fee usage information arrangement recited above when a processing apparatus executes a document processing related job within a group different from the normal group to which a client apparatus belongs.

For at least the reasons discussed above, Applicant submits that amended independent claim 37 would not have been obvious to one of ordinary skill in the art at the time of the invention, in view of the combination of INOUE and ZUCKNOVICH. Additionally, Applicant submits that since amended independent claims 38 and 39 recite features similar to amended independent claim 37, that independent claims 38-39 are also patentable for reasons similar to the reasons discussed above regarding independent claim 37. Furthermore, Applicant submits that claims 2-11, 14-23, and 26-35, which depend from independent claims 37, 38, and 39,

respectively, are patentable for the reasons discussed above, and further for the additional features recited therein.

Accordingly, Applicant respectfully requests that the rejection of claims 2-11, 14-23, 26-35, and 37-39 under 35 U.S.C. § 103(a) as being unpatentable over INOUE in view of ZUCKNOVICH be withdrawn.

In the amendment, Applicant has voluntarily amended claims 39 and 26-35 to recite a method. Nevertheless, Applicant explicitly reserves the right to reinstate program claims in the present application, if desired.

### SUMMARY

From the amendments, arguments and remarks provided above, Applicant submits that all of the pending claims in the present application are patentable over the references cited by the Examiner, either alone or in combination. Accordingly, reconsideration of the outstanding Final Official Action is respectfully requested and an indication of the allowance of Claims 2-11, 14-23, 26-35, and 37-39 is now believed to be appropriate.

Applicant notes that this amendment is being made to advance prosecution of the application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejections is made by the present amendment. All other amendments to the claims which have been made by this amendment, and which have not been specifically noted to overcome a rejection bases upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
Isao AOKI



Bruce H. Bernstein  
Reg. No. 29,027

**Steven Wegman**  
**Reg. No. 31,438**

July 20, 2009  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191